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| U.S. Patent and Trademark Office | June 13, 2005 | |
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| (703) 872-9306 | 17 # PAGES | • |
| US Patent Application Serial No. | OUR REFERENCE (C/M) NO.: | |
| 10/611,485 | 006401.00400 | |
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P1 3/SB/21 (09-04) Approved for use through 07/31 2006. 3MB 0851-0031 U.S. Patent and Trademark Office: U.S. DEPARTAENT : F COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a wall QM I control number. Application Number 10/811,485 TRANSMITTAL Filing Date July 1, 2003 **FORM** First Named Inventor Schilling, et al. Art Unit 1751 Examiner Name Darrick G. Hamlin (to be used for all correspondence after initial filing) Total Number of Pages in This Submission 006401.00400 Attorney Docket Number ENCLOSURES (check all that apply) Fee Transmittal Form Drawing(s) After Allowance Communication to TC Appeal Communication t - Board Fee Attached Licensing-related Papers of Appeals and Interferences Petition Appeal Communication t - TC Amendment / Reply (Appeal Notice, Brief Repl. Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Terminal Disclaimer Other Enclosure(s) Extension of Time Request (please identify below, : Fax Cover Sheat Request for Refund Express Abandonment Request CD, Number of CD(s) _ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) The Commissioner is authorized to charge any additional fees or credit exerpayment to Deposit Account No. 19-0733. Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Banner & Witcoff LaTD Signature Printed Name seph J. Berghanner Date June 13, 2005 46,057 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being façsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage, as first class mall in an envelope addressed to: Commissioner for Patents, P.). Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Typed or printed name Date June 13 200 i

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to or materia, purposing, and submitting the completed application form to the USPTO. This will vary depending upon the individual case. Any ornments on the amount of time you require to complete this form and/or supgestions for reducing this burden, should be sent to the Chief Information officer. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED I ORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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| Pirt Named Inventor Schilling, et al. | FEE TRANSMITTAL | | | Application Number | 10/811,485 | | | |
| Pix Named towards Schilling, et al. | | | Filling Date | July 1, 2003 | | | | |
| TOTAL AMOUNT OF PAYMENT (5) 1,350.00 Ant unit Aftering Docket No. 008401.00400 METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify) : Deposit Account Deposit Account Number: 19-0733 Deposit Account Nume: Banner & Witto fif, LTD. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, excpt for the filling fee Charge refe(s) indicated below Charge fee(s) indicated below, excpt for the filling fee Indicat 37 CFR. 1.6 and 1.17 WARRIGG: Internation on this form may become public. Credit card information and submortation on the form may become public. Credit card information and submortation on PTO-2038. FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Application Type Fee (3) Fee(5) | | | | | First Named Invento | Schilling, et al. | | |
| Attempt Dockst No. 008401.00400 | Applicant claims | amail entity s | tatus. Şee 37 (| CFR 1.27 | Examiner Name | Demick G. Hamlin | | |
| METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify) : Deposit Account Deposit Account Number; 19-0733 Deposit Account Number; 19-0733 Deposit Account Deposit Account Deposit Account Number; 19-0733 | TOTAL AMOUNT O | E DAVMENT | (5) 4 350 00 | | Art Unit | 1751 | | |
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| Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witc fff, LTD. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below. Charge fee(s) indicated below. exc. pt for the filling fee Charge any additional fee(s) or underpayments of fee(s) Under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit card information ahoudd not be included on this form. Provide redit card information and authorization on PTO-2008. FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SEARCH FEES Small Entity Small Entity Small Entity Application Type Fee (3) Fee(\$) Fee(\$ | | | | | Orbas (alasas idens | | | |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) Char | 5 | | | | | ` | | # 170 |
| Charge fee(s) indicated below Charge any additional fee(s) or underpayments of fee(s) Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments Under 37 CFR 1.16 and 1.10 Hand additional form may become public. Credit card information abouted not be included on this form. Provide redit card information and authorization on PTO-2503. FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING PEES Small Entity Application Type Fee (\$) Fee(\$) | 1 | | _ | | | | | m, LID. |
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| Total Claims Extra Claims Fee(\$) Fee Paid (\$) Multipl Dependent Claims 42 | Multiple dependen | t claims | (mending Ken | isues) | | | | - |
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| Indep. Claims 6 -4 = 2 x 200 = \$400 HP = highest number of independent claims paid for, if greater than 3. 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each addition at 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Tatal Sheets Extra Sheets Number of each additional 50 or fraction thereof Fer (\$) Fee Paid (\$) - 100 = /50 = (round up to a whole number) x = 4. OTHER FEE(8) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): Submitted by Regularation No. (Attorney/Aganu) 46,057 Tel. phone 312-463-5000 | | | | <u>50</u> = | \$950 | | Fee (| 5) Fee Paid (\$) |
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| Signoture Registration No. (Attorney/Agant) 46,057 Teli phone 312-463-5000 | | | | | | | | |
| (Attorney/Agent) 46,057 Teli phone 312-463-5000 | SUBMITTED BY | | 11/ | / | | | | |
| | Signature | 1pc 1 | my In | | _ | AK OR7 | Téli phono | 312-463-5000 |
| | Name (Print/Type) | Jøseph J. B | erghammer | | | | + | June 13, 2005 |

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IN THE UNITED STATES PATENT AND TRADEMARK ())*FICE (Attorney Docket No. 006401.00400)

| In the Application of: Schilling, et al. | | RECEIVED CENTRAL FAX CENTER |
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| Serial No.: 10/611,485 | Group Art Unit: 1751 | JUN 1 3 2005 |
| Filed: July 1, 2003 | Examiner: Stephen Luther Blau | |
| For: Dust Suppressant and Soil Stabilization Composition | Confirmation Number; 3311 | |

AMENDMENT AND RESPONSE TO OFFICE ACTION DATED MARCH 14, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

This amendment and response is responsive to the Office Action dated March 14, 2005.

The Examiner has set a three-month period for response.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

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